

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**FFGGP, INC., AS TRUSTEE**  
**Plaintiff,**

**v.**

**DEUTSCHE BANK NATIONAL**  
**TRUST COMPANY,**  
**Defendant.**

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**Civil Action No. 3:16-CV-0742-M**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge Renée Harris Toliver made Findings, Conclusions and a Recommendation in this case. Objections were filed, and the Court has made a de novo review of those portions of the proposed Findings, Conclusions and Recommendation to which objection was made. The objections are overruled and the Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge. Defendant's Motion for Summary Judgment is GRANTED except it is DENIED as to the Defendant's proof that Plaintiff's lien is subordinate to Defendant's lien, and Defendant's request to supplement the record is DENIED. Plaintiff's Motion for Remand and, in the alternative, for Summary Judgment, is DENIED.

Defendant is given leave to file one additional Motion for Summary Judgment directed only to the subordination issue.

**SO ORDERED** this 29th day of September, 2017.

  
**BARBARA M. G. LYNN**  
**CHIEF JUDGE**